

# HOUSE . . . . . No. 780

---

By Mr. O’Flaherty of Chelsea, petition of Eugene L O’Flaherty for legislation to establish a penalty for recruiting members of “street gangs”, so-called. The Judiciary.

---

## The Commonwealth of Massachusetts

---

In the Year Two Thousand and Five.

---

### AN ACT RELATIVE TO GANG CRIME IN THE COMMONWEALTH OF MASSACHUSETTS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

- 1 Chapter 265 of the General Laws, as so appearing, is hereby
- 2 amended by adding the following new section:
- 3 Section 46. Causing, Encouraging, Soliciting or Recruiting
- 4 Criminal Street Gang Membership. A person who intentionally
- 5 causes, encourages, solicits or recruits another person to join a
- 6 criminal street gang or other organization of three or more persons
- 7 which has a common name, identifying sign or symbol and whose
- 8 members individually or collectively engage in criminal activity,
- 9 shall be punished by imprisonment in the state prison for not less
- 10 than three years and not more than five years, or by imprisonment
- 11 in the house of correction for not more than two and a half years;
- 12 and or a second or subsequent offense by imprisonment in the
- 13 state prison for not less than five and not more than ten years.